UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,069	02/16/2001	Mark Alan Podracky	202586US8	4876

			EXAMINER
22850	7590	05/28/2004	ZHONG, CHAD

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/784,069	PODRACKY, MARK ALAN
	Examiner	Art Unit	
	Chad Zhong	2154	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 May 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-39* is/are pending in the application.

4a) Of the above claim(s) *36-39* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-35* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Applicant provisionally elect with traverse Group 1 Claims 1-35 in the restriction requirement

dated 5/13/2004, thus claims 1-35 are presented for examination.

2.   The disclosure is objected to because of the following informalities:

pg 36, line 10, S1404 should be changed to S1405.

3.   Applicant is required to update the status (pending, allowed, etc.) of all parent priority

applications in the first line of the specification. The status of all citations of US filed

applications in the specification should also be updated where appropriate.

4.   The applicant's remarks about restriction not being a burden is viewed and respectfully declined.

The restriction remains to be a burden on the examiner because they belong to two different classes as

stated in the restriction election dated 5/13/2004.

5.   Claims 36-39 are withdrawn from consideration, restriction is made final.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such
> that the subject matter as a whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

7.   Claims 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bahlaman, US

6,487,594, in view of Gogger et al. (hereinafter Gogger), US 2002/0087383, in view of 'Official Notice'.

8.   As per claim 1, Bahalman teaches a trouble ticketing system for supporting multiple service

providers, each having end-users connected to a common network, comprising:

a digital repository populated with service provider entries including information about a first service provider of the multiple service providers and other information about a second service provider of the multiple service providers (Col. 2, lines 1-4, lines 10-24, lines 32-39),

end-user entries including information about end-users of the first service provider and other information about end-users of the second service provider, each of the end-user entries being associated with at least one of the service provider entries (Col. 6, lines 23-31; Col. 3, lines 45-47, lines 57-62), and

a processor (Col. 3, lines 22-23).

9.   Bahalman does not teach a computer readable medium encoded with processor readable instructions that when executed by the processor implement. However, "Official Notice" is taken that the concept and advantages of providing for computer readable medium (memory) encoded with processor readable instructions is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include memory with Bahalman because it would provide for execution of all the said tasks of Bahalman.

10.   Bahalman does not explicitly teach trouble ticket entries including trouble ticket information including trouble ticket status information, each of the trouble ticket entries being associated with at least one of an end-user entry and a service provider entry, although it does discloses a troubleshooting aspect of applicant (Col. 6, lines 14-22).

a common trouble ticket interface mechanism configured to provide a single user interface for the first service provider and the second service provider to access entries in the digital repository, the first service provider having access to trouble ticket entries associated with the first service provider and end-user entries associated with the first service provider and the second service provider having access to trouble ticket entries associated with the second service provider and end-user entries associated with the

second service provider, and a trouble ticket tracking mechanism configured to access and maintain

trouble ticket entries in the digital repository.

11.   Cogger teaches trouble ticket entries including trouble ticket information including trouble ticket

status information, each of the trouble ticket entries being associated with at least one of an end-user entry

and a service provider entry (pg 2, [0018]), and

        a common trouble ticket interface mechanism configured to provide a single user interface for the

first service provider and the second service provider to access entries in the digital repository, the first

service provider having access to trouble ticket entries associated with the first service provider and end-

user entries associated with the first service provider and the second service provider having access to

trouble ticket entries associated with the second service provider and end-user entries associated with the

second service provider, and a trouble ticket tracking mechanism configured to access and maintain

trouble ticket entries in the digital repository (pg 2, [0018]; pg 1, [0015]).

12.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Bahalman and Cogger because they both dealing with updating and

maintaining user records in a centralized database. Furthermore, the teaching of Cogger to include

        trouble ticket entries including trouble ticket information including trouble ticket

status information, each of the trouble ticket entries being associated with at least one of an end-user entry

and a service provider entry, and

        a common trouble ticket interface mechanism configured to provide a single user interface for the

first service provider and the second service provider to access entries in the digital repository, the first

service provider having access to trouble ticket entries associated with the first service provider and end-

user entries associated with the first service provider and the second service provider having access to

trouble ticket entries associated with the second service provider and end-user entries associated with the

second service provider, and a trouble ticket tracking mechanism configured to access and maintain

trouble ticket entries in the digital repository

would improve the error checking capabilities for Bahalman's system by allowing users/ISPs to enter and

keeping track of trouble tickets.

13.   As per claim 2, Bahalman teaches the system of claim 1, wherein the common trouble ticket

interface mechanism is further configured to provide secure access to the entries in the digital repository

(Col. 4, lines 18-22).

14.   As per claim 3, Bahalman teaches the system of claim 1, wherein the common trouble ticket

interface mechanism comprises a web portal (Col. 4, lines 36-44, lines 46-50).

15.   As per claim 4, Bahalman teaches the system of claim 1, wherein the digital repository comprises

a database (Col. 3, lines 5-16).

16.   As per claim 5, Bahalman teaches the system of claim 1, wherein the common network comprises

a network dedicated to broadband data transport services (Col. 3, lines 30-36).

17.   As per claim 6, Bahalman teaches the system of claim 5, wherein the data transport services

comprise at least one of Internet access, voice over IP, and video on demand (Col. 3, lines 30-36).

18.   As per claim 7, Bahalman teaches the system of claim 1, wherein the common network comprises

an open access network (Col. 4, lines 36-44).

19.   As per claim 8, Bahalman teaches the system of claim 1, wherein at least a portion of the

common network comprises an Internet protocol network (Col. 3, lines 30-33).

20.   As per claim 9, Bahalman teaches the system of claim 1, wherein at least a portion of the

common network is a coaxial network (Col. 3, lines 30-36).

21.   Bahalman does not teach hybrid fiber optic and coaxial network. However, "Official Notice" is taken that the concept and advantages of providing for a hybrid fiber co-axial network for transportation purposes is well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include a portion of common network is a hybrid coaxial network with Bahalman because it would provide for faster and greater range of transportation.

22.   As per claim 10, Bahalman teaches the system of claim 1, wherein the at least one of the multiple service providers comprises an Internet service provider (Col. 3, lines 5-10).

23.   As per claim 11, Bahalman teaches the system of claim 1, wherein at least a portion of the common network comprises a Data Over Cable Service Interface Specification network (Col. 3, lines 30-35).

24.   As per claim 12, Bahalman does not teach the system of claim 1, wherein at least a portion of the common network comprises a European Data Over Cable Service Interface Specification network. However, "Official Notice" is taken that the concept and advantages of providing for a European Data Over Cable Service Interface Specification network transportation purposes in another countryis well known and expected in the art. It would have been obvious to one of ordinary skill in the art to include European Data Over Cable Service Interface Specification network because it would provide for other modes of operation in other countries/territories.

25.   As per claim 13-15, Claims 13-15 are rejected for the same reasons as rejection to claims 1-3 above respectively.

26.   As per claim 16-23, Claims 16-23 are rejected for the same reasons as rejection to claims 5-12

respectively.

27.   As per claim 24, Claim 24 is rejected for the same reasons as rejection to claim 1 above.

28.   As per claim 25, Bahalman teaches a computer program product, comprising:

a computer storage medium (for rejections to computer storage medium, refer to similar section in

claim 1 above); and

a computer program code mechanism embedded in the computer storage medium for causing a

processor (Col. 3, lines 22-23) to provide a common trouble ticketing capability supporting multiple

service providers, each having end-users connected to a common network, the computer program code

mechanism having,

a first computer code device configured to maintain service provider information, end-user

information (Col. 3, lines 5-15; Col. 4, lines 36-44; Col. 6, lines 23-26), in a database, the end-user

information including an association between each end-user and at least one service provider (Col. 4,

lines 36-44);

29.   Bahalman does not explicitly teach

trouble ticket status information

the trouble ticket status information including an association between each trouble ticket and at least

one of an end-user and a service provider;

a second computer code device configured to provide a common trouble ticket user interface for a

first service provider and a second service provider to access entries in the database, the first service

provider having access to trouble ticket status information associated with at least one of the first service

provider and end-users of the first service provider and the second service provider having access to

trouble ticket status information associated with at least one of the second service provider and end-users

of the second service provider; and

a third computer code device configured to maintain trouble ticket status information in the database.

30.   Cogger teaches

trouble ticket status information (pg 2, [0019])

the trouble ticket status information including an association between each trouble ticket and at least

one of an end-user and a service provider (pg 2, [0018]);

a second computer code device configured to provide a common trouble ticket user interface (pg 2,

[0018]-[0019]) for a first service provider and a second service provider to access entries in the database,

the first service provider having access to trouble ticket status information associated with at least one of

the first service provider and end-users of the first service provider and the second service provider

having access to trouble ticket status information associated with at least one of the second service

provider and end-users of the second service provider (pg 1, [0015]; pg 2, [0018]); and

a third computer code device configured to maintain trouble ticket status information in the database

(pg 2, [0022], [0023], [0018]).

31.   It would have been obvious to one of ordinary skill in this art at the time of invention was made

to combine the teaching of Bahalman and Cogger because they both dealing with updating and

maintaining user records in a centralized database. Furthermore, the teaching of Cogger to include

trouble ticket status information

the trouble ticket status information including an association between each trouble ticket and at least

one of an end-user and a service provider

a second computer code device configured to provide a common trouble ticket user interface for a

first service provider and a second service provider to access entries in the database,

the first service provider having access to trouble ticket status information associated with at least one of

the first service provider and end-users of the first service provider and the second service provider

having access to trouble ticket status information associated with at least one of the second service

provider and end-users of the second service provider and

a third computer code device configured to maintain trouble ticket status information in the database

would improve the error checking capabilities for Bahalman's system by allowing users/ISPs to enter and

keeping track and maintain the trouble tickets.

32.   As per claims 26-27, Claims 26-27 are rejected for the same reasons as rejection to claims 2-3

above respectively.

33.   As per claims 28-35, Claims 28-35 are rejected for the same reasons as rejection to claims 5-12

above respectively.

Conclusion

34.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents and publications are cited to further show the state of the art with respect to

"System method and computer program product for supporting multiple service providers with a trouble

ticket capability".

i.	US 5953389	Pruett et al.
ii.	US 5091713	Lechleider et al.
iii.	US 6081827	Reber et al.
iv.	US 6052439	Gerszberg et al.
v.	US 6169788	McHale et al.
vi.	US 6167124	Johnson et al.
vii.	US 6148337	Estberg et al.
viii.	US 6049821	Theriault et al.
ix.	US 5961603	Kunkel et al.

x.   US 5475819   Miller et al.

xi.   "Vendors unify system tools" Leon, Mark   Infoworld Dec 18, 1995. Vol. 17, Iss. 51;

xii.   "The help desk market: disarray and disrepair", Hecht, Bradley   Datamation Dec 1996.

xiii.   "Network Management Alternative offerings look good while vendors of conventional
platforms come to grips with the challenges of distributed computing", Data Communications Oct
21, 1994.

xiv.   "LODE: a system for learning kernel knowledge bases from databases", Rowland et al,
Expert Systems in Telecommunications. Proceedings of a Symposium p. 11 pp.   1987

xv.   "Net management from an alarming point of view", Kiernan, Telephone Engineer and
Management vol. 95, no. 5

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Chad Zhong whose telephone number is (703) 305-0718. The examiner can normally be

reached on M-F 7am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John

A Follansbee can be reached on 703-305-8498. The fax phone numbers for the organization where this

application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238

for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the receptionist whose telephone number is 703-305-3900.

CZ
May 18, 2004

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100